

**Decisions Relating to the Department of Water Resources
Perris Dam Remediation Program**
California State Clearinghouse Number 2007061004

Department of Water Resources Certification of the Perris Dam Remediation Program Final
Environmental Impact Report

Section 15090(a) of the CEQA Guidelines states: "Prior to approving a project the lead agency shall certify that: (1) The final EIR has been completed in compliance with CEQA; 2) The final EIR was presented to the decision-making body of the lead agency and that the decision-making body reviewed and considered the information contained in the final EIR prior to approving the project; and (3) The final EIR reflects the lead agency's independent judgment and analysis.

If, after review and consideration of the final EIR, you decide that DWR certifies the EIR, please indicate your decision by signing the following statement in accordance with Section 15090(a) of the CEQA Guidelines:

I certify:

1. The DWR completed the final EIR, attached as Exhibit A, in compliance with CEQA.
2. The final EIR was presented to me in my capacity as the DWR's decision making body and I reviewed and considered the information contained in the final EIR prior to approving the project.
3. DWR is the lead agency for the final EIR and it reflects the DWR's independent judgment and analysis.



Mark W. Cowin, Director
Department of Water Resources

Department of Water Resources Decisions Regarding the Perris Dam Remediation Program

If, after certifying the final EIR, you decide that DWR approves the Perris Dam Remediation Program as described as the proposed project in the final EIR, please indicate your decision by making the following determinations in the manner prescribed by Sections 15091 – 15094 of the CEQA Guidelines:

1. *Section 15091(a) of the Guidelines states: "No public agency shall approve or carry out a project for which an EIR has been certified which identifies one or more significant environmental effects of the project unless the public agency makes one or more written findings for each of those significant effects, accompanies by a brief explanation of the rationale for each finding."*

The Findings set forth in Exhibit B which meet the requirements of CEQA Guidelines Section 15091 are provided for your adoption and signature. To the extent that these findings conclude that various mitigation measures are feasible and within DWR's responsibility and jurisdiction, you are directing DWR to implement these measures, thereby incorporating them as part of the proposed project.

2. Section 15093(b) of the CEQA Guidelines states: "When the lead agency approves a project which will result in the occurrence of significant effects which are identified in the final EIR but are not avoided or substantially lessened, the agency shall state in writing the specific reasons to support its action based on the final EIR and/or other information in the record."

The Statement of Overriding Considerations, attached as Exhibit C, which meets the requirements of CEQA Guidelines Section 15093 is provided for your adoption and signature.

3. Section 15091(d) of the CEQA Guidelines requires the agency to "also adopt a program for reporting on or monitoring the changes which it has either required in the project or made a condition of approval to avoid or substantially lessens significant environmental effects."

The Mitigation, Monitoring and Reporting Program, attached as Exhibit D, which meets the requirements of CEQA Guidelines Section 15091(d) is provided for your adoption and signature.

4. CEQA Guidelines Sections 15092(a) and (b) describe the approval decision.

After considering the final EIR, including the project alternatives, and in conjunction with making findings under CEQA Guidelines Section 15091, I approve the proposed project described in the final EIR. My approval meets the requirements of CEQA Guidelines Sections 15092(a) and (b).

I have determined that:

-DWR has eliminated or substantially lessened all significant effects on the environment where feasible as shown in the findings under CEQA Guidelines Section 15091, and

-Any remaining significant effects on the environment found to be unavoidable under CEQA Guidelines Section 15091 are acceptable due to overriding concerns as described in CEQA Guidelines Section 15093.



Mark W. Cowin, Director
Department of Water Resources

11/18/2011

Date

5. *CEQA Guidelines Section 15094 states that "the lead agency shall file a notice of determination within five working days after deciding to carry out or approve the project."*

The Notice of Determination (NOD), attached as Exhibit E, which meets the requirements of Section 15094, is provided for your approval and signature. Once signed, DWR staff will file the NOD with the Office of Planning and Research within five working days and keep a copy of the NOD with the project administrative record.